

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

TRADING PLACES INTERNATIONAL, LLC,      )  
    )  
    )  
   Plaintiff,      )  
    )  
    )  
v.    )      Case No. 6:15-cv-03092-BP  
    )  
    )  
SUMMERWINDS RESORT SERVICES, LLC,      )  
ET AL.,                                        )  
    )  
   Defendants.      )

**DEFENDANTS' MOTION FOR LEAVE TO FILE SUGGESTIONS IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT OUT OF TIME**

Defendants Summerwinds Resort Services, LLC, and Stormy Point Village – Phase III Property Owners Association, Inc., (“Defendants”), by and through their counsel, respectfully request the Court for leave to file their Suggestions in Opposition to Plaintiff’s Motion for Partial Summary Judgment (Doc. 108) out of time. In support of their motion, Defendants state the following:

1. Plaintiff’s motion for summary judgment was filed on February 15, 2017.
2. Defendants’ response to Plaintiff’s motion was due March 8, 2017.
3. Defendants’ counsel experienced issues in formatting the table of contents and further experienced problems in attempting to process and file the exhibits along with the Suggestions in Opposition. These issues unfortunately delayed the filing such that Defendants’ suggestions in opposition, with exhibits, were filed with the Court at 12:16 a.m. on March 9.
4. This motion is not brought for any improper purpose.

5. Plaintiff will not be prejudiced by grant of leave to file the response out of time because it was filed very briefly after the deadline passed and it does not hinder Plaintiff's ability to prepare its reply in support of its motion for summary judgment.

WHEREFORE, Defendants Summerwinds Resort Services, LLC, and Stormy Point Village – Phase III Property Owners Association, Inc., (“Defendants”) respectfully request the Court for leave to file their Suggestions in Opposition to Plaintiff’s Motion for Partial Summary Judgment (Doc. 108), and for such other and further relief as the Court deems just, equitable, and proper.

**HUSCH BLACKWELL LLP**

By: /s/ Christopher F. Weiss

Bryan O. Wade #41939  
Christopher F. Weiss #49314  
Shelly A. Rosenfelder #67177  
901 St. Louis St., Suite 1800  
Springfield, MO 65806  
Office: (417) 268-4000  
Fax No: (417) 268-4040  
[Bryan.wade@huschblackwell.com](mailto:Bryan.wade@huschblackwell.com)  
[chris.weiss@huschblackwell.com](mailto:chris.weiss@huschblackwell.com)  
[shelly.rosenfelder@huschblackwell.com](mailto:shelly.rosenfelder@huschblackwell.com)

*Attorneys for Defendants*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing notice of deposition was forwarded this 9<sup>th</sup> day of March, 2017, via the court's electronic notification system:

James E. Meadows  
J. Taylor White  
Lathrop & Gage, LLP  
910 East St. Louis Street, Suite 100  
Springfield, MO 65806  
[jmeadows@lathropgage.com](mailto:jmeadows@lathropgage.com)  
[twhite@lathropgage.com](mailto:twhite@lathropgage.com)

*/s/Christopher F. Weiss*  
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Attorney